IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 12TH SEPTEMBER 2007 / 21ST BHADRA 1929

WP(C).No. 6703 of 2007(W)

PETITIONER:

ABDUL AZEESE, AGED 40 YEARS,
S/O. HASSAN, PIRAMBILLYKUDY HOUSE,
CHELAKULAM KARA, VENGOLA P.O.,
PATTIMATTOM VILLAGE, ERNAKULAM.

BY ADV. SRI.SIRAJ KAROLY
SRI.M.V.JOY

RESPONDENTS:

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1. THE MANAGER, KSFE LTD.,
LOAN UNIT, THOTTUNGAL BUILDINGS,
D.H. ROAD, KOCHI-16.

2. THE SPECIAL DEPUTY TAHSILDAR (R.R.)
KSFE LTD., KACHERIPADI, ERNAKULAM,
COCHIN-682 018.

3. THE VILLAGE OFFICER, VILLAGE OFFICER,
PATTIMATTOM, PATTIMATTOM P.O.,
ERNAKULAM-683 562.

BY ADV. SRI.A.K.JOHN, ADDL.SC., KSFE LTD.
SRI.M.L.SAJEEVAN, SC, KSFE LTD.

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 12/09/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

WP(C) No. 6703/2007

APPENDIX

PETITIONER'S EXHIBITS

P1 : COPY OF THE NOTICE ISSUED BY THE 2ND RESPONDENT DATED 19/01/2007.

P2 : COPY OF THE REPRESENTATION DATED 31/01/2007 TO THE 1ST RESPONDENT.

// TRUE COPY //

PA TO JUDGE.

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 6703 of 2007

Dated, this the 12th day of September, 2007

J U D G M E N T

Heard learned counsel for the petitioner and learned Standing Counsel for KSFE. Since petitioner has paid rupees one lakh fifty thousand under interim orders and the balance is only around rupees eighty thousand as per Ext.P1 notice, I feel the prayer for instalment facility, and for granting OTS benefit / incentives are quite justifiable. This writ petition is, accordingly, disposed of granting ten equal monthly instalments to the petitioner to clear the balance arrears, first of which will be paid on or before 30/09/2007 and balance on or before last date of succeeding nine months. If petitioner makes payment without default, there will be direction to the respondents to waive penal interest and collection charges. If petitioner is entitled to OTS benefit, which is more beneficial than the waiver granted above, then there will be direction to the respondents to grant the same to the petitioner on his making payment under the scheme. Revenue recovery will be kept in abeyance for payment as above. However, if petitioner commits default, respondents can proceed for recovering entire arrears without granting any incentives.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg